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**FILED**  
DISTRICT COURT OF GUAM  
AUG 25 2004  
MARY L. M. MORAN  
CLERK OF COURT

9

**Attorneys for Plaintiffs**  
The Estate of Olimpio Montoya,  
by and through Alfredo Espiritu  
Montoya, Special Administrator;  
Andrea Montoya, Surviving Spouse;  
Raymundo E. Montoya, Josefina Aguilar,  
Bayanie Montoya, Julieta M. Reyes,  
Alfredo Espiritu Montoya and Oliver Montoya;  
Surviving Children

**IN THE DISTRICT COURT OF GUAM**

The Estate of Olimpio Montoya,  
by and through Alfredo Espiritu  
Montoya, Special Administrator;  
Andrea Montoya, Surviving Spouse;  
Raymundo E. Montoya, Josefina Aguilar,  
Bayanie Montoya, Julieta M. Reyes,  
Alfredo Espiritu Montoya and Oliver Montoya;  
Surviving Children,

**CIVIL CASE NO. CV04-00018**

**Plaintiffs,**

**SCHEDULING ORDER**

**vs.**

**CONTINENTAL AIRLINES, INC.  
CONTINENTAL MICRONESIA INC.;  
And DOE Insurance Companies  
I through V.**

**Defendants,**

\_\_\_\_\_ /

ORIGINAL

**SCHEDULING ORDER**

Pursuant to Rules 16 and 26(f) of the Federal Rules of Civil Procedure, and Rule 16.1 of the Local Rules of Practice for the District Court of Guam, the parties hereby submit the following Scheduling Order:

**Montoya, et.al. v. Continental Airlines, Inc., et.al**  
**Scheduling Order**  
**June, 2004**

1. The nature of the case is as follows:

Wrongful Death

2. The posture of the case is as follows:

- a) The following motions are on file (pending):

None

- b) The following motions have been resolved:

Not applicable.

- c) The following formal discovery has been initiated:

None at the present time.

3. All Motions to add parties and claims shall be filed on or before:

April 7, 2005

4. All Motions to amend pleadings shall be filed on or before:

April 7, 2005

5. Status of Discovery:

The Discovery Plan (filed concurrently herewith) is adopted and incorporated as part of this Scheduling Order.

6. Scheduling Conference: August 25, 2004 at 10:00 am

7. The discovery cut-off date (defined as the last day to file responses to discovery) is: May 6, 2005.

**Montoya, et.al. v. Continental Airlines, Inc., et.al**  
**Scheduling Order**  
**June, 2004**

8. a) The anticipated discovery motions are:

None at this time.

b) All discovery motions shall be filed on or before March 28, 2005.

These motions will be heard on or before April 21, 2005. at 10:00 a.m.

c) All dispositive motions shall be filed on or before April 21, 2005 and heard on or before ~~April 28~~ <sup>May 11</sup>, 2005, at 10:00 a.m.

9. The prospects for settlement are: Reasonably fair and good.

10. The Preliminary Pretrial Conference shall be held on May 24, 2005 at 3:00 p.m. (no later than 21 days to trial date).

11. The parties' pretrial materials, discovery materials, witness lists, designations and exhibit lists shall be filed on or before May 18, 2005 (no later than 14 days prior to Trial).

12. The Proposed Pretrial Order shall be filed on or before May 23, 2005 (no later than 14 days prior to Trial).

13. The Final Pretrial Conference shall be held on May 31, 2005 at 3:00 p.m. (no later than 7 days prior to Trial).

14. The Trial shall be held on June 7, 2005 at 9:30 a.m.

15. The Plaintiff seeks a jury trial.

16. It is anticipated that it will take two to three ~~(2-3)~~ <sup>(4-5) pm</sup> days to try this case.

17. The names of counsel on this case are:

**Montoya, et.al. v. Continental Airlines, Inc., et.al**

**Scheduling Order**

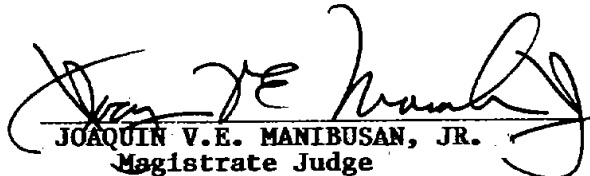
**June, 2004**

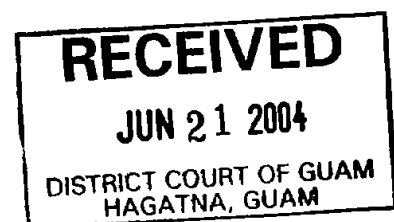
William L. Gavras, Esq. for Plaintiffs The Estate of Olimpio Montoya, by and through Alfredo Espiritu Montoya, Special Administrator; Andrea Montoya, Surviving Spouse; Raymundo E. Montoya, Josefina Aguilar, Bayanie Montoya, Julieta M. Reyes, Alfredo Espiritu Montoya and Oliver Montoya; Surviving Children

David Ledger, Esq. for Continental Airlines, Inc. and Continental Micronesia, Inc.

18. The Parties are amenable to submitting this case to a settlement conference.
19. The parties present the following suggestions for shortening trial:  
None at this time.
20. The following issues will affect the status or management of the case:  
Unknown at this time

Dated: ~~June~~ <sup>August</sup> 25<sup>th</sup>, 2004.

  
JOAQUIN V.E. MANIBUSAN, JR.  
Magistrate Judge



**Montoya, et.al. v. Continental Airlines, Inc., et.al**  
**Scheduling Order**  
**June, 2004**

**APPROVED AS TO FORM AND CONTENT:**

LAW OFFICES OF GORMAN & GAVRAS

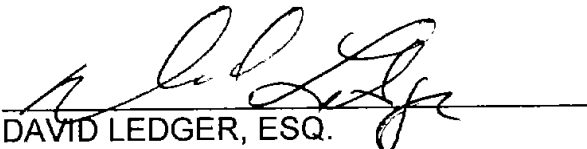
Date: June 21, 2004.

for  BY: \_\_\_\_\_

WILLIAM L. GAVRAS, ESQ.  
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Bayanie Montoya, Julieta M. Reyes,  
Alfredo Espiritu Montoya and Oliver Montoya;  
Surviving Children

Dated: June 21, 2004.

LAW OFFICES OF CARLSMITH BALL LLP.

BY:  \_\_\_\_\_

DAVID LEDGER, ESQ.  
Attorneys for Defendants  
CONTINENTAL AIRLINES, INC.;  
CONTINENTAL MICRONESIA INC.;